

REMARKS

In view of the amendments and remarks presented herein, the Applicants respectfully request reconsideration and withdrawal of the Examiner's rejections and allowance of the subject application. In the Office Action, the Examiner rejected claims 1-34 under 35 U.S.C. 102(e) as being anticipated by Cragun et al. (USPN 5,973,683, hereinafter "Cragun"). In this amendment, the Applicants have amended claims 1, 13, 17-19, 25 and 34 and added new claims 35-44. In light of these amendments and remarks, the Applicants respectfully traverse this rejection.

Claim Rejections Under 35 USC 102

The Applicants respectfully assert that independent claims 1, 13, 19 and 25 are allowable because Cragun fails to teach, suggest or disclose all the elements of these claims for the reasons stated below in sections 1 and 2.

1) The Office Action Improperly Characterizes the Disclosure in Cragun

Claim 1 recites "comparing the selected content-based specification with the received content-based indicator when the reference time falls within the finite time range specification." In the rejection of claim 1, the Office Action states that Cragun compares the selected content rating with the rating received and generates a control signal "when the reference time falls within the selected time interval" and cites to Cragun col. 10, ll. 44-60 for support (Office Action, p. 3). The Applicants respectfully disagree with this characterization of the disclosure in Cragun.

As the cited text clearly states, "display content selection criteria includes lockout or blackout during user selected time intervals. For example, a parent can deny a viewer access from 9:00 p.m. to 2:30 a.m." In column 11, Cragun states the "blackout indicator denotes a block of time which the viewer is prohibited from viewing." Thus, Cragun clearly teaches blacking out the entire display and preventing access to all programming during the selected time interval.

Cragun further supports this in block 79 of Fig. 5, where a determination is made as to whether the viewer is currently in a black-out period (col. 13, ll. 35-41). If the viewer is within a prohibited time window, i.e., a NO result is obtained, then the television implements a display control method at block 75 that is determined by the user setup of Fig. 4. This control method

can include turning off the display at block 78, scrambling the signal at block 101, finding an acceptable station at block 87 or suggesting an alternate activity at block 88. Thus, once it is determined that the viewer is attempting to view during the black-out period (selected time interval), Cragun discloses proceeding immediately to a display control method. Only when it is determined that the viewer is outside the time window, i.e., a YES result to block 79, does Cragun compare the program with the censorship settings (col. 13, ll. 47-50). Therefore, Cragun fails to teach, suggest or disclose “comparing the selected content-based specification with the received content-based indicator when the reference time falls within the finite time range specification” as recited by claim 1. Accordingly, the Applicants respectfully request the withdrawal of the rejection to claim 1. Furthermore, because independent claims 13, 19 and 25 recite language similar to that of claim 1, the Applicants respectfully request the withdrawal of the rejection to those claims as well.

2) Cragun Fails to Disclose All Elements of the Amended Claims

The Applicants disclose a method for limiting personal exposure to a television or other consumer electronics device having a V-chip by using a content-based specification and an associated finite time range specification. In one example embodiment, the V-chip can be enabled or disabled based upon a comparison of a received reference time with the finite time range specification. If the reference time is outside of the finite time range specification, the V-chip is disabled. If the reference time is inside the finite time range specification, the V-chip is enabled and a received content-based indicator is compared with the content-based specification. When the V-chip is disabled, any user, such as an adult, can view the consumer electronics device without intrusion from the V-chip (See, for example, application, p. 13, ll. 11-22). Furthermore, if a parent inadvertently leaves the V-chip in a disabled state, re-enabling the V-chip in this manner reduces the risk that a child will gain access to the television and view restricted programming without consent.

Although Cragun discloses controlling the television display with a V-chip (col. 8, ll. 25-35), Cragun fails to disclose all of the elements of the claims. For instance, claims 1, 13 and 19 each recite “disabling the V-chip if the reference time is outside the first finite time range specification.” Cragun fails to disclose disabling the V-chip based upon a comparison of a received reference time with the finite time range specification. In fact, Cragun fails to disclose

disabling the V-chip in any manner at all.

Although, Cragun does disclose locking, or blacking out, a television during specified time intervals, the V-chip remains enabled even when the lockout period is over. As discussed above, in Fig. 5 Cragun shows the time window decision block 79, where a determination is made as to whether the viewer is currently in a black-out period (col. 13, ll. 35-41). If a NO result is obtained, the system implements the display control method (block 75), which can include turning off the display, scrambling the signal, finding an acceptable station or suggesting an alternate activity. A YES result leads to the decision, at block 81, to compare the user profile with the program profile to determine if the censorship settings are compatible (Fig. 5; col. 13, ll. 47-50). If the two are not compatible, the system again reverts to the display control method (block 75), which can include turning off the display or scrambling the signal etc. (Fig. 5; col. 13, ll. 50-54). In either case, the V-chip remains enabled even after the time window has terminated. This is in contrast with the present invention, which, once the time period has ended, allows an adult to view programming without intrusion from the disabled V-chip.

Cragun also creates the risk that a child can defeat the parental control. Cragun requires the adult to manually enter a password to install a user profile that alters the viewing restrictions applied to the V-chip. As depicted in Fig. 5, the system's initial set-up requires the entry of a user password that calls out a user profile containing any viewing restrictions for the television (col. 13, ll. 10-54). Thus, the parent must enter a separate user profile containing separate censorship restrictions when the television is being viewed by a child versus when the television is being viewed solely by an adult. If the parent inadvertently leaves the television ON with an adult-oriented user profile installed, the child will be able to view restricted programming and thereby defeat the parental control. This is in contrast to the present invention, which re-enables the V-chip whenever the finite time range specification is entered and thereby prevents the child from viewing a television that is inadvertently left in an adult-oriented state.

As stated above, claims 1, 13 and 19 recite "disabling the V-chip." Because Cragun does not teach, suggest or disclose all of the elements of these amended claims, the Applicants respectfully request that the rejection to these claims be withdrawn. Independent claim 25 recites a logic unit configured to "disable the V-chip if the reference time is outside the first finite time range specification." Because Cragun fails to teach, suggest or disclose this claim language, the

Applicants respectfully request that the rejection to claim 25 be withdrawn as well.

New Claims

The Applicants have added new dependent claims 26-44. These claims are supported by the specification and do not add new matter. Applicants respectfully submit these new claims are in condition for allowance.

Conclusion

The Applicant's respectfully submit that independent claims 1, 13, 19 and 25 are in condition for allowance. Furthermore, because dependent claims 2-12, 14-18, 20-24 and 26-44 depend therefrom, respectively, the Applicant's respectfully submit that these claims are in like condition for allowance. Accordingly, reconsideration and allowance of the application is requested. If the Examiner has any questions or comments, the Examiner is invited to call the undersigned at (949) 567-6700.

Respectfully submitted,

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